



# STATE OF WISCONSIN Assembly Journal

## Ninety-Fifth Regular Session

11:21 A.M.

WEDNESDAY, May 1, 2002

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Jensen in the chair.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hines, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 98.

Absent with leave – Representative Walker – 1.

Vacancies – None.

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### LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for today's session for Representative Walker. Granted.

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### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 01–129**

Relating to the use of deed restrictions and deed notices for the closure of environmental remediation cases, and the implementation of a geographic information system registry of closed remediation sites for properties with residual soil contamination that exceeds, at the time of case closure, generic or site-specific residual contaminant levels as determined under ch. [NR 720](#).

Submitted by Department of Natural Resources.

Report received from Agency, April 26, 2002.

To committee on **Environment**.

Referred on May 1, 2002.

#### **Assembly Clearinghouse Rule 01–134**

Relating to a pharmacy internship program.

Submitted by Department of Regulation and Licensing.

Report received from Agency, April 19, 2002.

To committee on **Health**.

Referred on April 26, 2002.

#### **Assembly Clearinghouse Rule 01–143**

Relating to returns of persons other than corporations that relate to income, and sales and use tax returns.

Submitted by Department of Revenue.

Report received from Agency, April 22, 2002.

To committee on **Ways and Means**.

Referred on May 1, 2002.

#### **Assembly Clearinghouse Rule 01–145**

Relating to commercial fishing in Lake Michigan.

Submitted by Department of Natural Resources.

Report received from Agency, April 26, 2002.

To committee on **Natural Resources**.

Referred on May 1, 2002.

#### **Assembly Clearinghouse Rule 02–021**

Relating to the scheduling of examinations.

Submitted by Department of Regulation and Licensing.

Report received from Agency, April 17, 2002.

To committee on **Health**.

Referred on April 26, 2002.

#### **Assembly Clearinghouse Rule 02–028**

Relating to motor vehicle trade practices.

Submitted by Department of Transportation.

Report received from Agency, April 25, 2002.

To committee on **Transportation**.

Referred on May 1, 2002.

#### **Assembly Clearinghouse Rule 02–029**

Relating to vehicle odometer disclosure requirements.

Submitted by Department of Transportation.

Report received from Agency, April 18, 2002.

To committee on **Transportation**.

Referred on April 26, 2002.

#### **Assembly Clearinghouse Rule 02–034**

Relating to member business loans.

Submitted by Department of Financial Institutions.

Report received from Agency, April 17, 2002.

To committee on **Financial Institutions**.  
Referred on April 26, 2002.

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## INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

### Assembly Bill 933

Relating to: repealing, consolidating, renumbering, amending, and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, and eliminating defects, anachronisms, conflicts, ambiguities, and obsolete provisions (Revisor's Revision Bill).

By Law Revision Committee.  
To committee on **Rules**.

### Assembly Bill 934

Relating to: repealing, consolidating, renumbering, amending, and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, and eliminating defects, anachronisms, conflicts, ambiguities, and obsolete provisions (Revisor's Revision Bill).

By Law Revision Committee.  
To committee on **Rules**.

### Assembly Bill 935

Relating to: repealing, consolidating, renumbering, amending, and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities and obsolete provisions, reconciling conflicts, and repelling unintended repeals (Revisor's Correction Bill).

By Law Revision Committee.  
To committee on **Rules**.

### Assembly Bill 936

Relating to: repealing, consolidating, renumbering, amending, and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities, and obsolete provisions, reconciling conflicts, and repelling unintended repeals (Revisor's Correction Bill).

By Law Revision Committee.  
To committee on **Rules**.

### Assembly Bill 937

Relating to: repealing, consolidating, renumbering, amending, and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities, and obsolete provisions, reconciling conflicts, and repelling unintended repeals (Revisor's Correction Bill).

By Law Revision Committee.  
To committee on **Rules**.

### Assembly Bill 938

Relating to: repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting, and clarifying references, and eliminating defects, anachronisms, conflicts, ambiguities, and obsolete provisions (Revisor's Revision Bill).

By Law Revision Committee.  
To committee on **Rules**.

### Assembly Bill 939

Relating to: fees for recording and filing documents with the office of register of deeds.

By committee on Assembly Organization.  
To committee on **Rules**.

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## REFERRAL OF AGENCY REPORTS

State of Wisconsin  
Department of Administration  
Madison

April 24, 2002

To the Honorable, the Legislature:

Included with this correspondence, I am submitting the report of the Department of Administration, Division of Gaming (Gaming), for the second quarter of fiscal year 2002 (October 1, 2001 through December 31, 2001). As required by s. 562.02 (1)(g), Wis. Stats., the attached materials contain pari-mutuel wagering and racing statistical information, as well as the revenues for the program areas of Racing, Charitable Gaming and Indian Gaming. Bingo revenues are now captured in a new appropriation (836) and therefore are shown on a separate chart from the rest of Charitable Gaming.

Please note that the final day of racing at St. Croix Meadows was August 9, 2001. The track is now closed. If you have any questions or comments regarding this report, please do not hesitate to contact Richard Pedersen at (608) 270-2546.

Sincerely,  
*F. SCOTT SCEPANIAC*  
Administrator

Referred to committee on **State Affairs**.

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Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 933** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### Assembly Bill 933

Relating to: repealing, consolidating, renumbering, amending, and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, and eliminating defects,

anachronisms, conflicts, ambiguities, and obsolete provisions (Revisor's Revision Bill).

The question was: Shall **Assembly Bill 933** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 933** be given a third reading. Granted.

The question was: **Assembly Bill 933** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 933** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 934** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Assembly Bill 934**

Relating to: repealing, consolidating, renumbering, amending, and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, and eliminating defects, anachronisms, conflicts, ambiguities, and obsolete provisions (Revisor's Revision Bill).

The question was: Shall **Assembly Bill 934** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 934** be given a third reading. Granted.

The question was: **Assembly Bill 934** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 934** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 935** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Assembly Bill 935**

Relating to: repealing, consolidating, renumbering, amending, and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities and obsolete provisions, reconciling conflicts, and repelling unintended repeals (Revisor's Correction Bill).

The question was: Shall **Assembly Bill 935** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 935** be given a third reading. Granted.

The question was: **Assembly Bill 935** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 935** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 936** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Assembly Bill 936**

Relating to: repealing, consolidating, renumbering, amending, and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities, and obsolete provisions, reconciling conflicts, and repelling unintended repeals (Revisor's Correction Bill).

The question was: Shall **Assembly Bill 936** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 936** be given a third reading. Granted.

The question was: **Assembly Bill 936** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 936** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 937** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Assembly Bill 937**

Relating to: repealing, consolidating, renumbering, amending, and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities, and obsolete provisions, reconciling conflicts, and repelling unintended repeals (Revisor's Correction Bill).

The question was: Shall **Assembly Bill 937** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 937** be given a third reading. Granted.

The question was: **Assembly Bill 937** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 937** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 938** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### **Assembly Bill 938**

Relating to: repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting, and clarifying references, and eliminating defects, anachronisms, conflicts, ambiguities, and obsolete provisions (Revisor's Revision Bill).

The question was: Shall **Assembly Bill 938** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 938** be given a third reading. Granted.

The question was: **Assembly Bill 938** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 938** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 939** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### **Assembly Bill 939**

Relating to: fees for recording and filing documents with the office of register of deeds.

The question was: Shall **Assembly Bill 939** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 939** be given a third reading. Granted.

The question was: **Assembly Bill 939** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Berceau, Bies, Black, J. Fitzgerald, Foti, Friske, Gard, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hines, Hoven, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, Lassa, J. Lehman, Leibham, Loeffelholz, McCormick, D. Meyer, Miller, Montgomery, Musser, Olsen, Ott, Owens, Petrowski, Pettis, Pocan, Powers, Rhoades, Ryba, Seratti, Shilling, Starzyk, Stone, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Ward, Wieckert, Young and Speaker Jensen – 60.

Noes – Representatives Balow, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Freese, Gronemus, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, M. Lehman, Meyerhofer, Morris-Tatum, Nass, Plale, Plouff, Reynolds, Richards, Riley, Schneider, Schooff, Sherman, Sinicki, Skindrud, Staskunas, Steinbrink, Suder, Wasserman, Williams, Wood and Ziegelbauer – 36.

Absent or not voting – Representatives Duff, Lippert and Walker – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 939** be immediately messaged to the Senate. Granted.

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Representative Foti asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

11:35 A.M.

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## **RECESS**

12:16 P.M.

The Assembly reconvened.

Speaker Jensen in the chair.

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## **ADJOURNMENT**

Representative Foti moved that the Assembly stand adjourned pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

12:17 P.M.